

USSN 09/887,273
Docket No. CR9608 US DfV9

REMARKS

Claims 563 -574 were pending in the Application. Claims 563 and 565 are being amended to recite that the transition metal in the transition metal catalyst is Ni or Pd. This amendment introduces no new matter, and is supported throughout the specification as filed, e.g., on page 10.

The claims were rejected under 35 U.S.C. § 112, and the final rejection was appealed. The Examiner has stated that the "specification includes no teaching that the claimed process could be performed with any catalyst other than one comprising nickel or palladium and a diimine coordinating ligand" (Examiner's Answer to Appeal Brief, September 26, 2003). Applicants respectfully continue to disagree with this assertion; however, in order to advance the prosecution of the Application to allowance, Applicants have amended the claims to recite the use of a catalyst containing nickel or palladium.

CONCLUSION

Applicants respectfully submit that claims 563-574 are in condition for allowance. Prompt favorable action and issuance of a Notice of Allowance is therefore respectfully solicited.

Applicants are submitting a Request for Continued Examination in conjunction with this amendment.

If there are any fees due which have not been accounted for, please charge such fee to Deposit Account Number 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

Dated: 8/31/04

By: Gail A. Dalickas

Gail A. Dalickas
Reg. No.: 40,979
Telephone: (302) 984-6282
Facsimile: (302) 658-1192